

Message

From: Minter, Douglas [Minter.Douglas@epa.gov]
Sent: 3/8/2019 10:31:24 PM
To: Shea, Valois [Shea.Valois@epa.gov]; Chin, Lucita [Chin.Lucita@epa.gov]
CC: Bahrman, Sarah [Bahrman.Sarah@epa.gov]; Tinsley, Chuck [Tinsley.Chuck@epa.gov]; Arnold, Rick [Arnold.Rick@epa.gov]
Subject: RE: Question re UIC Class III Permits

Thanks: I will let him know we will respond back to him.

From: Shea, Valois
Sent: Friday, March 8, 2019 3:12 PM
To: Chin, Lucita <Chin.Lucita@epa.gov>; Minter, Douglas <Minter.Douglas@epa.gov>
Cc: Bahrman, Sarah <Bahrman.Sarah@epa.gov>; Tinsley, Chuck <Tinsley.Chuck@epa.gov>; Arnold, Rick <Arnold.Rick@epa.gov>
Subject: RE: Question re UIC Class III Permits

I started to type out my response in an email, but it became too long and involved. I think it would be better to talk through the answer. I would also like to review with Chuck my understanding of how temperature and noise logs work to make sure my explanation is accurate.

Valois

Valois Shea
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Phone: (303) 312-6276
Fax: (303) 312-6741
Email: shea.valois@epa.gov

From: Chin, Lucita
Sent: Friday, March 8, 2019 2:38 PM
To: Minter, Douglas <Minter.Douglas@epa.gov>; Shea, Valois <Shea.Valois@epa.gov>
Cc: Bahrman, Sarah <Bahrman.Sarah@epa.gov>; Tinsley, Chuck <Tinsley.Chuck@epa.gov>; Arnold, Rick <Arnold.Rick@epa.gov>
Subject: RE: Question re UIC Class III Permits

Ex. 5 AC/DP

Lucita Chin
Senior Assistant Regional Counsel
Environmental Protection Agency
1595 Wynkoop St.

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Office: (303) 312-7832

From: Minter, Douglas
Sent: Friday, March 8, 2019 2:32 PM
To: Shea, Valois <Shea.Valois@epa.gov>; Chin, Lucita <Chin.Lucita@epa.gov>
Cc: Bahrman, Sarah <Bahrman.Sarah@epa.gov>; Tinsley, Chuck <Tinsley.Chuck@epa.gov>; Arnold, Rick <Arnold.Rick@epa.gov>
Subject: FW: Question re UIC Class III Permits

Hi Valois: please review this and advise us on a draft response.

Ex. 5 AC/DP

FYI, this national law firm has represented other UIC permittees.

Thanks,

Douglas

From: Owens, Steve <steve.owens@squirepb.com>
Sent: Friday, March 8, 2019 2:08 PM
To: Minter, Douglas <Minter.Douglas@epa.gov>
Subject: Question re UIC Class III Permits

Hi Douglas:

I hope you are doing well.

I am writing to request your assistance.

By way of introduction, I served as the Assistant Administrator for the Office of Chemical Safety & Pollution Prevention (OCSPP) at EPA HQ during the first few years of the Obama Administration. I also previously was the Director of the Arizona Department of Environmental Quality.

I am doing some research on UIC Class III permits. In particular, I am looking at how different jurisdictions have treated the Part 2 mechanical integrity testing (MIT) requirement for Class III wells set out in 40 CFR §146.8(c)). As you know, section 146.8(c) states that the result of a temperature or noise log should be used to demonstrate the Part 2 external MIT, but it allows for the use of cementing records where the nature of the casing in a Class III well precludes the use of a temperature or noise log.

Some of the UIC Class III permits I have seen seem to generally parrot the section 146.8(c) language, but I noticed that the draft UIC Class III permit issued by Region 8 for the Dewey Burdock project in South Dakota requires only the use of cementing logs for the Part 2 external MIT (without reference to temperature or noise logs). I am curious about the rationale for Region 8's approach in the Dewey Burdock permit. Did you conclude up front that the casing to be used will make the use of a temperature or noise log infeasible? I have looked at the documents available on the Region 8 website pertaining to the permit, but I have not found anything that really discusses this. Can you please provide me with the thinking behind the language in the Dewey Burdock permit relating to the Part 2 external MIT or point me to where I can find it?

Just FYI, for the record, the research I am doing is not focused on or related to the Dewey Burdock project.

Thanks in advance for your help.

Best,

Steve



Stephen A. Owens

Partner

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